

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

COLT CRAIG CAMPREDON,
Plaintiff,
vs.

Case No. 3:17-cv-00347-CL
ORDER

COMMISSIONER OF SOCIAL SECURITY,
Defendant.

AIKEN, District Judge:

Magistrate Judge Mark Clarke filed his Findings and Recommendation (“F&R”) on 1/10/2018 (doc. 17) recommending that the decision of the Commissioner be reversed and remanded for further proceedings. The matter is now before me. *See* 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When either party objects to any portion of a magistrate judge’s F&R, the district court must make a *de novo* determination of that portion of the magistrate judge’s report. *See* 28 U.S.C. § 636(b)(1); *McDonnell Douglas Corp. v. Commodore Business Machines, Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981), *cert denied*, 455 U.S. 920 (1982).

The Commissioner and plaintiff filed timely objections to the F&R (docs. 19 and 20), and both parties filed responses to those objections (docs. 21 and 22). Thus, I review the F&R *de novo*.

Having reviewed the record and the F&R *de novo*, I find no error in Judge Clarke's reasoning. On remand, the ALJ is instructed to take the following actions:

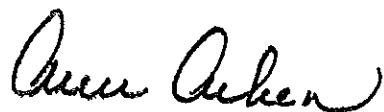
(1) Reassess plaintiff's credibility. Should the ALJ determine him to not be credible, the ALJ shall provide clear and convincing reasons for doing so. (2) Reassess Ms. Campredon's third-party statements. Should the ALJ determine her statements to not be credible, the ALJ shall provide germane reasons for doing so. (3) Present a hypothetical vocational question to the vocational expert that includes all of plaintiff's limitations and restrictions, including those alleged by plaintiff and Ms. Campredon, assuming their testimony is found to be credible.

F&R at 30-31.

Thus, I adopt Magistrate Judge Clarke's F&R (doc. 17) in its entirety. Accordingly, the decision of the Commissioner is REVERSED and REMANDED for further proceedings consistent with the F&R and this order. This case is DISMISSED.

IT IS SO ORDERED.

Dated this 9th day of March, 2018.



Ann Aiken
United States District Judge